

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PIRS CAPITAL, LLC,

Case No.

Plaintiff,

-against-

TARGET DRILLING, INC., and
STEPHEN KRAVITS a/k/a STEPHEN J.
KRAVITS,

Defendants.

NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT COURT:

The Defendants, Target Drilling, Inc. and Stephen J. Kravits, by and through their undersigned counsel, hereby give notice of the removal of the above-captioned matter from the Supreme Court of the State of New York, County of New York at Index No. 651714/2021 to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, and in support thereof aver the following:

1. Target Drilling, Inc. ("Target Drilling") and Stephen Kravits a/k/a Stephen J. Kravits ("Kravits") are Defendants in a civil action brought on March 15, 2021 in the Supreme Court of New York, County of New York at Index No. 651714/2021. Pursuant to the provisions of Sections 1332, 1441 and 1446 of Title 28 of the United States Code, Defendants remove this action to the United States District Court for the Southern District of New York.

2. Defendants were served with a summons and a complaint in this action on May 26, 2021.

3. The grounds for the removal of this Action are:

a. This is a civil action in which the District Court has original jurisdiction in that it is an action in which the amount in controversy exceeds the sum or value of \$75,000 and is between citizens of different states within the meaning of *28 U.S.C. § 1332*.

b. More specifically, Defendant Kravits, who resides at 2078 Totteridge Drive, Greensburg, Pennsylvania 15601, is domiciled in Pennsylvania and is therefore a citizen of the same. Target Drilling is a citizen of Pennsylvania as it is incorporated under the laws of the Commonwealth Pennsylvania and has its principal place of business at 1112 Glacier Drive, Smithton, Pennsylvania 15479.

c. Plaintiff, Pirs Capital LLC ("Pirs Capital"), is a limited liability company organized under the laws of the State of New York and has its principal place of business at 40 Exchange Place, Suite 403, New York, New York 10005. The identity and citizenship of the members of Pirs Capital are unknown to Defendants. However, it is believed and therefore averred that the members of Pirs Capital are citizens of states other than Pennsylvania.

4. This Notice of Removal is timely under *of 28 U.S.C. § 1446(b)* because the Notice of Removal is filed within thirty days of service of the Summons and Complaint.

5. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of the Docket and all previous filings in the Supreme Court of New York, County of New York at Index No. 651714/2021 are attached hereto as **EXHIBIT A** and **EXHIBIT B**, respectively.

6. A copy of this Notice of Removal will be served upon all parties to the state action and will be filed with the County Clerk's Office of the Supreme Court of New York, County of New York.

WHEREFORE, the civil action in the Supreme Court of New York, County of New York at Index No. 651714/2021 is hereby removed to the United States District Court for the Southern District of New York.

Respectfully Submitted,

/s/ Robert O Lampl
Robert O Lampl, *pro hac vice pending*
Alexander L. Holmquist, *pro hac vice pending*
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Defendants.

CERTIFICATE OF SERVICE

I, Robert O Lampl, hereby certify that on the 15th day of June, 2021, I served true and correct copies of the within **NOTICE OF REMOVAL** upon the following parties (by First-Class U.S. Mail) addressed as follows:

Bryan E. Wolkind, Esq.
Foster & Wolkind, P.C.
80 Fifth Avenue, Suite 1401
New York, NY 10011

The Supreme Court of New York, New York County
County Clerk of New York County
Hon. Milton Tingling
New York County Courthouse
60 Centre Street, Room 161
New York, NY 10007

/s/ Robert O Lampl
Robert O Lampl